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SMIG, KFRD, ASEC, AR  
SUBJECT: ARGENTINE JUSTICE MINISTER DISCUSSES TIP, MONEY  
LAUNDERING, AND A HUMAN RIGHTS-RELATED DEPORTATION CASE

REF: A. BUENOS AIRES 1946  
[1](#)B. BUENOS AIRES 1964 AND PREVIOUS

Classified By: Ambassador E.A. Wayne for Reasons 1.4 (b,d)

[1](#)1. (C) Introduction: This cable covers and provides updates on issues that Justice Minister Alberto Iribarne and the Ambassador discussed during their recent meeting (reftels). They include: 1) status of Trafficking in Persons legislation and Justice Ministry efforts to push for its passage; 2) Minister's plans to use the recently concluded money laundering/terrorism finance "National Agenda" to improve strengthen Argentina's legal/regulatory regime and improve inter-agency coordination with regards to financial crimes; 3) Treasury Office of Technical Assistance assessment visit; 4) Embassy's delivery of a diplomatic note raising concerns about alleged mistreatment of a detained U.S. citizen; and 5) status of the USG deportation to Argentina of a wanted Argentine human rights violator. Post reported separately on the Minister's broad plans for legal reform in Argentina (Ref A), and the prospect of coordinating efforts (Ref B) to convince Bolivia, Colombia, and Paraguay to pay delinquent dues to GAFISUD (Southern Cone Financial Action Task Force). End Introduction.

Limited Movement on TIP legislation

[1](#)2. (C) The Ambassador commented to the Minister that Senator (and Presidential front-runner) Cristina Fernandez de Kirchner had told him in mid-September that she expected the Trafficking in Persons (TIP) law to be passed with no problems after the October 28 elections. The Minister agreed and asserted that he and Interior Minister Fernandez were speaking to Argentine legislators, urging them to forge a consensus in order to pass legislation soon.

[1](#)3. (C) The Ambassador acknowledged that differences among the bills remained, but stressed that TIP victims needed help now. Minister Iribarne agreed and commented that while his broader focus was to pass the legislation, in the meantime the GoA had established a new program to assist TIP victims. Iribarne stated that the MOJ had published a resolution in July establishing a national program to prevent TIP and provide victims assistance. The program director reports directly to him, he explained, and is charged with coordinating interagency efforts to provide victims' assistance. It will also work with NGOs to conduct public awareness campaigns. Although Iribarne claimed that the Ministry's new program included famed TIP activist Susanna Trimarco, Trimarco informed Emboffs separately that she declined the Ministry's invitation to lead the program.

## National AML/CTF Agenda and Treasury Assessment Visit

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14. (C) The Ambassador congratulated Iribarne on the Argentine Congress' passage in June of counter-terrorism and counter-terrorism finance legislation (BA 1183), which went into force in mid-July. He also congratulated him on President Kirchner's September 11 signing of the decree to enact the "National Agenda for the Fight Against Money Laundering and the Financing of Terrorism" (reported BA 1826).

15. (C) The Ambassador commented on how the USG was impressed with the GoA's actions over the last two years to fortify its regime against financial crimes: strengthening money laundering legislation, reorganizing the Financial Investigative Unit, establishing special anti-money laundering and counter-terrorism finance (AML/CTF) units at the Central Bank, Attorney General's Office, and AFIP (Argentine version of the IRS). Furthermore, the Ambassador noted, the fact that Argentina had criminalized terrorism financing put it at the forefront in Latin America in the fight against terrorism. The Ambassador encouraged the Minister to have the GoA take the next step and become an active participant in the global fight against terrorism. This included, in particular, identifying persons in the region to add to the UN terrorism lists. The Ambassador urged the Minister to reach out to Argentine intelligence and law enforcement agencies to develop such cases.

16. (C) Iribarne responded that the FATF President's critical observations of Argentina's financial crimes regime during his visit to Argentina in early 2006 had lit a fire under the GOA, leading to significant legal and regulatory improvements

to the AML/CTF regime. Iribarne noted that the National Agenda was the government's initiative to continue this effort to strengthen the overall AML/CTF regime and enhance the application of the country's AML and CTF laws and regulations. The Minister asserted that his Ministry had the central coordinating role in this area, but that each relevant Ministry had its own, specific targets. Recognizing that implementation of all the new AML/CTF laws and regulations is the key challenge, the Minister noted his intention to follow-up regularly with Ministries and Agencies to push them to meet their targets.

17. (SBU) Background Note: the National AML/CTF Agenda establishes 20 broad objectives, many of which conform to FATF AML/CTF recommendations. In general the objectives are focused on strengthening existing laws and regulations (and correcting legislative weaknesses) and improving intra-government coordination. The objectives range from increasing funding and capacity training to Argentina's Financial Investigative Unit, to improving detection of cross-border cash transfers, to eliminating some of the secrecy barriers that complicate sharing of information among agencies and with the private financial sector.

18. (SBU) The Ambassador briefed the Minister on the mid-September visit to Argentina of a U.S. Treasury Office of Technical Assistance team. The Treasury officials visited Buenos Aires to perform an informal assessment of the GoA's regulatory agencies capacities and training needs, primarily in the area of counter-terrorism finance (BA 1417). The Ambassador noted that the USG goal was to assist in developing an AML/CTF training program tailored specifically to the needs and interests of the Central Bank and other GoA regulatory agencies.

## Diplomatic Note Regarding Detained Amcit Case

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19. (C) The Ambassador informed Iribarne that the Embassy had submitted a diplomatic note expressing concern about an incarcerated U.S. citizen's allegations of mistreatment by prison guards. He also noted that the Embassy was requesting that the appropriate authorities investigate the allegations. Post subsequently forwarded to Iribarne a copy of the note,

which raised concerns over improper treatment of prisoner John Murphy in early August, and related details of Murphy's allegations against the prison guards. Murphy had been arrested upon arrival in Buenos Aires for alleged indecent behavior toward a flight attendant.

¶10. (C) Iribarne subsequently (October 12) told the Ambassador that he had ordered an inquiry into the case. He also told the Ambassador that he had ordered that an English speaker always be present for any communication with English-speaking prisoners who do not speak Spanish. Possibly as a result of this case, the Under Secretary for Prison Affairs Federico Ramos and National Director of Prisons Alejandro Marambio told Post Consular Officers that they are considering ways to improve treatment of English-speaking foreign prisoners. Specifically, the prison officials are proposing to house such prisoners together, to improve their social situation and provide better services to them as a group. Post's Consular Officers are discussing this idea with counterparts from other English-speaking Embassies to gauge interest in offering this option to their citizens arrested in Argentina.

#### Deportation of Wanted Argentine Human Rights Violator

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¶11. (C) The Ambassador mentioned that Argentine citizen Ernesto Barreiro, apprehended in the Virginia on visa fraud, had agreed to be deported back to Argentina where he is sought for alleged human rights violations. The Minister agreed that deportation was a much preferred option to extradition, which is legally more complex and a more lengthy process. Barreiro is wanted by Argentine law enforcement authorities for alleged human rights abuses while serving as an Argentine military official under the military dictatorship in the 1970s. Specifically, he is alleged to have been in charge of a torture facility called "La Perla," located in Cordoba Province, where an estimated 100 persons were allegedly tortured or killed.

¶12. (C) ICE officials in Buenos Aires and Washington have coordinated with Argentine authorities over the last year to obtain the necessary evidence to arrest and deport Barreiro

back to Argentina. On April 1, 2007, Barreiro was arrested and taken into ICE custody. On September 7, 2007, he pled guilty to one count of visa fraud (18 USC 1546, Fraud and Misuse of Visa Documents), and was subsequently sentenced to six months imprisonment. Barreiro had already served over five months of his sentence, and is currently set to be deported on October 29, arriving Argentina October 30, where he will be turned over to officials from Interpol Argentina.

WAYNE